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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,873	09/30/2005	Joseph Emmanuel Zarb	131279.1050 (B.062APC)	2018
60148	7590	10/30/2008		
GARDERE / RJW GARDERE WYNNE SEWELL, LLP 1601 ELM STREET SUITE 3000 DALLAS, TX 75201			EXAMINER ROBINSON, LAUREN E	
			ART UNIT 1794	PAPER NUMBER
			MAIL DATE 10/30/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## **DETAILED ACTION**

### ***Response to Arguments***

The timely submission under 37 CFR 1.129(a) filed on June 27, 2008 is not fully responsive to the prior Office action because the response indicates that claims 1-3, 5-7, 10-11, 13, 19-20, 23, 29, 31, 35, 37-38, 40, 43-44, 47-48, 50-54, 56, 58, 65, and 69-75 were canceled and new claims 76-114 were added. However, in the set of claims filed with the response, previously presented claims 1-3, 5-7, 10-11, 13, 19-20, 23, 29, 31, 35, 37-38, 40, 43-44, 47-48, 50-54, 56, 58, 65, and 69-75 were not indicated as cancelled. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAUREN ROBINSON whose telephone number is (571)270-3474. The examiner can normally be reached on Monday to Thursday 6am to 4pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on 571-2721284. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lauren E. T. Robinson  
Examiner  
AU 1794

/LAUREN ROBINSON/  
Examiner, Art Unit 1794

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